

Report Date: August 25, 2009

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
AUG 27 2009
JAMES R. LARSEN, CLERK
SPOKANE, WASHINGTON DEPUTY

Name of Offender: Jerome Lemont Williams

Case Number: 2:04CR00204-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 5/13/2005

Type of Supervision: Supervised Release

Original Offense: Distribution of 5 Grams or More of
a Mixture or Substance Containing Cocaine Base, 21
U.S.C. § 841(a)(1)

Date Supervision Commenced: 8/11/2009

Original Sentence: Prison - 70 Months; TSR - 96
Months

Date Supervision Expires: 8/10/2017

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 19 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 20 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

CAUSE

On August 25, 2009, the offender signed the above outlined modifications to his conditions of supervised release. He understands the rationale for these modifications in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9thCir. 2005). Therefore, this officer is respectfully requesting that the offender's conditions of supervision be modified to authorize a maximum of up to six random tests for alcohol and/or illegal drugs via urinalysis testing or with the Breathalyzer.

Prob 12B

Re: Williams, Jerome Lemont

August 25, 2009

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

8-25-09



Brenda J. Kuest
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

8/27/09

Date

United States District Court

Eastern District of Washington

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JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:


To modify the conditions of supervision as follows:

- 19 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 20 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Witness:


Brenda J. Kuest
U.S. Probation Officer

Signed:


Jerome Lemont Williams
Probationer or Supervised Releasee

August 25, 2009

Date